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# The INSIDER WINTER 2014-15

Welcome to the third edition of the Administrator Certification Section (ACS) *Insider*! Our goal is to share timely and relevant information about issues that affect the California Department of Social Services (CDSS), Community Care Licensing Division (CCLD) certified facility administrators and training vendors.

Please review and share this ACS *Insider* with members of your organization, as well as with others interested in vendor or administrator certification information. We look forward to publishing the *Insider* throughout the year as a continuing effort to strengthen partnerships with vendors and administrators.



## HIGHLIGHTS OF THIS EDITION INCLUDE:

- *Legislation and Regulations Update*
- *ACS Winter Activities*
- *Important Updates for Administrators*
- *Vendor Training Tips and Tools*
- *Frequently Asked Questions (FAQs)*

## LEGISLATION AND REGULATIONS UPDATE



The next State legislative session is beginning, and we will report on any new bills that may affect the ACS in future issues of the *Insider*. Those interested in following the legislative process can do so at <http://assembly.ca.gov/> and <http://senate.ca.gov/>. The text of proposed, pending, and prior legislation can be viewed at <http://www.leginfo.ca.gov/bilinfo.html>.

As noted in the Fall 2014 *Insider*, the ACS is in the process of updating its sections of the California Code of Regulations (CCR) to align with recently enacted legislation and to clarify requirements. The recent legislation impacting ACS includes:

- Assembly Bill (AB) 2675 (Chapter 421, Statutes of 2006) regarding on-line learning
- AB 1856 (Chapter 639, Statutes of 2012) regarding cultural competency and sensitivity for the lesbian, gay, bisexual, and transgendered communities for Group Home (GH) administrators

- AB 663 (Chapter 675, Statutes of 2013) regarding cultural competency and sensitivity for the aging lesbian, gay, bisexual, and transgendered communities for Adult Residential Facility (ARF) and Residential Care Facilities for the Elderly (RCFE) administrators
- AB 1570 and SB 911 (Chapters 698 and 705, Statutes of 2014) regarding increased initial training topics and hours for RCFE administrators.

We anticipate holding a public hearing and a 45-day written comment period on the proposed changes this coming spring, so watch for further notice of these activities on the CDSS [website](#) and in the *Insider*. The proposed changes (including revised forms) are planned to take effect January 1, 2016 (to coincide with AB 1570 and SB 911).

### ACS WINTER ACTIVITIES

- The ACS has updated its [website](#) (at <http://www.cclld.ca.gov/pg471.htm>) to make it easier to locate information and to update some of the key materials (e.g., the certificate renewal process, how and when to check the status of test results). The website also now includes data on which group of certification applications are currently being processed based on dates they are received. We encourage all administrators and vendors to stay abreast of ACS information by regularly checking this resource.
- The ACS staff are gearing up for training vendor monitoring in 2015. Vendors should be prepared for analyst e-mails and phone calls to schedule monitoring visits and collect pre-visit information. Vendors' timely responses to requests for information in advance of the visit can save time for both analysts and vendors during the visits.
- The ACS Advisory Committee (ACSAC) has been reestablished to provide a framework for collaboration and communication among administrators, vendors, stakeholders, and the ACS on matters related to strengthening ACS relationships, improving resources and tools, identifying and addressing trends impacting community care, and sharing best practices. Members of the ACSAC include experienced administrators and vendors, advocacy organizations, provider associations, and representatives from other State Departments. The Committee met in October and November to review and revise the Core of Knowledge for RCFE administrators, necessary due to recent years' legislation. Future work will include reviewing and revising the Core of Knowledge for ARF and GH administrators.

The final draft Core of Knowledge for RCFE administrators will be included in the upcoming revised regulations and will be available for all administrators and vendors to review and comment on during the public comment period next spring. (See *Legislation and Regulations* section above.)

- The 2015 Supplemental Security Income (SSI) and State Supplementary Payment (SSP) rate charts are now available at <http://www.cclld.ca.gov/res/pdf/14APX-14.pdf>

## IMPORTANT UPDATES FOR ADMINISTRATORS



Beginning January 1, 2015, ACS will no longer accept administrator continuing education courses approved by the *Board of Registered Nursing (BRN)* or *National Association of Long-Term Care Administrator Boards (NAB)*. This action is consistent with ACS's move to ensure its opportunity to review courses for currency, accuracy, and relevance to the appropriate Core of Knowledge. BRN- and NAB-approved courses do not fulfill the regulatory requirement of being approved and enforced in a manner comparable to CDSS' course approval and enforcement process. We will accept such courses taken prior to January 1, 2015 provided they fit the applicable Core of Knowledge. (See CCR Sections [84064.3\(a\)](#) (GH), [85064.3\(a\)](#) (ARF), or [87407\(b\)](#) (RCFE).)

If you are unclear about which courses or vendors are approved by ACS or have questions regarding continuing education requirements in general, it is better to contact ACS **before** taking the course(s) in order to avoid delays in processing your administrator application and incurring unnecessary expenses.

ACS has received a number of requests from administrators and vendors to allow continuing education credit from vendors or courses that were not approved by ACS at the time the course was taken. Please be aware that ACS cannot take actions inconsistent with our regulations, including the backdating or falsifying of documents related to the approval process. It is incumbent upon all training vendors to be aware of when their vendorship and courses expire and to submit applications and supporting documents well before the expiration date to allow time for review and processing. The result of vendors offering courses not yet approved by ACS may include an upset administrator who has paid for and taken the course(s), only to find out the course(s) is not accepted by ACS as part of the administrator's continuing education requirement. For more information on ASC requirements, see <http://www.cclid.ca.gov/PG471.htm>



## TIPS AND TOOLS FOR TRAINING VENDORS

The ACS is excited about the opportunity to continue to share some ideas and resources that may be helpful to you as you educate administrators. This can be an interactive section of the "Insider" meaning, if you have great resources, please share with ACS and we can share with your colleagues.

### New Educational Tool Helps LGBT Residents of Care Facilities

The U.S. Department of Health and Human Services' Administration for Community Living (ACL) recently released a new online learning tool "*Building Respect for LGBT Older Adults*" designed to increase awareness of the issues faced by lesbian, gay, bisexual, and transgender (LGBT) individuals living in long term care (LTC) facilities. The tool may provide information of help to vendors updating their Initial Certification

Training Programs (ICTP) to include the now statutorily-required LGBT cultural competencies (see Legislation and Regulations Update above.)

This online training program aims to prepare participants to: increase visibility of the issues facing LGBT individuals in LTC facilities, provide easy access to information on serving LGBT individuals in LTC facilities, encourage LTC facilities to provide opportunities for staff to take the online training, and change the way individuals and facilities approach older LGBT adults.

Additional LGBT resources include the [National Resource Center on LGBT Aging](#), a technical assistance resource center aimed at improving the quality of services and supports offered to LGBT older adults.

### **Subject Matter Experts for Continuing Education**

One vendor shared how she taps outside subject matter experts to instruct portions of a continuing education course on facility repairs and upgrades (related to the topic of “physical plant” in the current COK guidelines). In this case, the vendor brings in a specialist from a building supplies store to provide instruction on simple small facility repairs and modifications. The specialist also provided handouts on other common repairs and projects that the attendee administrators would likely encounter in their facilities. The administrators appreciated the specialized knowledge provided.

The ACS reminds vendors that in developing courses you can use multiple instructors, including such subject matter experts, as long as you provide the required information on their knowledge and experience and role in the course as part of the ACS course approval process (see form [LIC 9140](#)).

### **SUMMARY**



If you have any questions, suggestions, or best practices to share, please call the ACS main line at (916) 653-9300. You can also visit the main CCLD website at <http://www.CCLD.ca.gov> for CCLD office locations, laws, regulations, Information Releases or to learn more about licensing services in general.

Sincerely,

***Original signed by***

PAMELA DICKFOSS  
Deputy Director  
Community Care Licensing Division

Attachment



## FREQUENTLY ASKED QUESTIONS (FAQ) & BEST PRACTICES

*This section is dedicated to sharing information in a FAQ format and is intended to create pathways to partnerships so that we can all learn and exchange knowledge, ideas and practices!*

### From Administrators:

**Question:** Why was I charged a late fee when I made sure my renewal application was postmarked the day my administrator certificate expired?

Response: Without knowing the specifics of your case, you were probably assessed a late fee because your application was incomplete due to inadequate continuing education hours, and there was no time to remedy it before your certificate expired. See CCR Sections [84064.3](#) (GH), [85064.3](#) (ARF), or [87407](#) (RCFE) for the applicable recertification requirements.

*Note: The “best practice” to avoid late fees is to submit your renewal application 60 – 90 days before your current certificate expires to allow time for receipt, review, and corrections if it’s found to be incomplete, before the expiration date.*

**Question:** I submitted certificates of completion for the required 40 hours of continuing education but ACS did not accept them all. Why?

Response: Per the regulations, the continuing education coursework must be from courses approved by the Department or another State agency or an accredited educational institution offering courses consistent with ACS requirements AND must relate to the applicable (i.e., GH, ARF, RCFE) COK. (ARF and GH administrators may also receive credit for some courses completed through Regional Centers.) In addition, of the total 40 hours required, by law, no more than half the hours may be completed through online courses. See CCR Sections [84064.3](#) (GH), [85064.3](#) (ARF), or [87407](#) (RCFE) for the recertification requirements, and Health and Safety Code Sections [1522.41\(f\)\(1\)](#) (GH and ARF) or [1569.616\(f\)\(1\)](#) (RCFE).

**Question:** I’m a GH administrator and received an incomplete notice that I needed to be re-fingerprinted. Why?

Response: In addition to the usual background check clearances from the Department of Justice and the FBI, GH administrators must have been cleared by the Child Abuse Registry and this clearance must have been completed on or after January 1, 2001 due to changes in system technology affecting reporting of rap-backs to CDSS. If you have an older Registry clearance you’ll be required to be re-fingerprinted and cleared before your certificate is issued or renewed.

**Question:** I'm an RCFE administrator but do not have any clients with dementia in my facility. Why did I receive an incomplete notice requiring I take coursework in dementia?

**Response:** *Per the California Code of Regulations (CCR - Title 22, Section 87407 (a)) to renew their certificates (each two-year cycle), all RCFE administrators must show proof of completing eight (8) hours of continuing education in subjects related to serving clients with Alzheimer's Disease or other dementias. Regardless of whether you currently serve any residents with dementia, the requirement is there so all RCFE administrators are prepared to serve such clients. See link to this regulation at [http://www.cclid.ca.gov/res/pdf/RCFE\\_ADM.pdf](http://www.cclid.ca.gov/res/pdf/RCFE_ADM.pdf).*

### **From training vendors:**

**Question:** Why can't I include all the courses I want to continue offering on the renewal form ([LIC 9139](#))? I was told by the ACS analyst that I could only include the courses which have no changes.

**Response:** *The course renewal form is intended for use only for those courses whose content has not changed (or needs to be changed) since last approved. If your course has changed since it was last approved, or it needs to be updated to reflect new information on the subject, you will need to submit the revised course outline for review using form [LIC 9140](#). In either case, be sure to submit the materials for renewal or review at least 60 days prior to the current course expiration to avoid a lapse in approvals.*

**Question:** I understand that recent legislation requires we include training in cultural sensitivity toward the LGBT population as part of the ICTP we offer but there's no provision for this topic in the hours of the current COK guidelines. How do we accommodate this?

**Response:** *The updated regulations will include updates to the current "COK Guideline" charts including the split of hours by required topic areas. In the interim, we recommend that ICTP vendors shift one hour from "Admission and Assessment Retention" to this new topic of "Cultural Competency." In addition, GH ICTPs should now also include one hour of training in the "Safety of Foster Youth" (per the California Student Safety and Violence Prevention Act of 2000) and we suggest this time be covered by shifting one hour from "Community and Support Services."*

*If they haven't already done so, ICTP vendors should prepare and submit to ACS an updated outline of their ICTP(s) including these new topic areas. Note: the additional topics for RCFE ICTPs, added per AB 1570 and SB 911, do not take effect until 2016 so should not yet be added.*